



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
WWW.USPTO.GOV

Paper No. None

BERKELEY LAW & TECHNOLOGY GROUP  
5250 NE ELAM YOUNG PARKWAY  
SUITE 850  
HILLSBORO OR 97124

**COPY MAILED**

JUN 08 2005

**OFFICE OF PETITIONS**

In re Application of	:	
Shaolin Li	:	
Application No. 10/820,963	:	
Filed: April 7, 2004	:	DECISION ON SECOND RENEWED
Attorney Docket No. Epogy 2004-4	:	PETITION UNDER 37 C.F.R. §1.47(b)
Title: MONITORING SYSTEM USING	:	
MULTI-ANTENNA TRANSCEIVERS	:	

This is in response to the second renewed petition under 37 CFR §1.47(b)<sup>1</sup>, filed May 17, 2005.

The above-identified application was filed on April 7, 2004. On June 21, 2004, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (Notice), requiring an executed oath or declaration in compliance with §1.63 and a surcharge for its late filing. This Notice set a two-month period for reply.

In reply, applicant filed the original petition on August 27, 2004, along with the surcharge, a statement of the last known address of the inventor, a statement that a complete copy of the application was sent to the non-signing inventor, and a copy of the inventor's employment agreement.

<sup>1</sup> 1 A grantable petition under 37 CFR §1.47(b) requires:

- (1) The petition fee;
- (2) a surcharge if the petition was not filed at the time of filing of the application;
- (3) a statement of the last known address of each of the non-signing inventors;
- (4) proof that a copy of the application was sent or given to each of the non-signing inventors for review;
- (5) proof that each of the non-signing inventors refused to sign;
- (6) proof that the Rule 47(b) applicant has sufficient proprietary interest in the subject matter to justify the filing of the application;
- (7) proof of irreparable damage, and;
- (8) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116 and 37 CFR §1.63.

The original petition was dismissed via the mailing of a decision on October 13, 2004, for failure to meet requirements (6) – (8) above.

The renewed petition was submitted on January 18, 2005, and was dismissed via the mailing of a decision on April 7, 2005 for failure to submit an acceptable declaration.

With the present petition, an acceptable declaration has been submitted.

As such, the petition under 37 C.F.R. §1.47(b) is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition, not the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



**Paul Shanoski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**